

*State of Delaware*  
*Office of the Secretary of State*

---

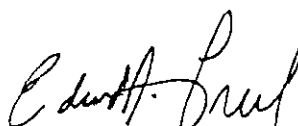
PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE DO HEREBY CERTIFY THAT THE CERTIFICATE OF INCORPORATION OF "TWO IF BY SEA BROADCASTING CORPORATION", WAS RECEIVED AND FILED IN THIS OFFICE THE EIGHTH DAY OF APRIL, A.D. 1991.

AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID CORPORATION IS NO LONGER IN EXISTENCE AND GOOD STANDING UNDER THE LAWS OF THE STATE OF DELAWARE HAVING BECOME INOPERATIVE AND VOID THE FIRST DAY OF MARCH, A.D. 1994 FOR NON-PAYMENT OF TAXES.

AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID CORPORATION WAS SO PROCLAIMED IN ACCORDANCE WITH THE PROVISIONS OF GENERAL CORPORATION LAW OF THE STATE OF DELAWARE ON THE TWENTY-FIFTH DAY OF MAY, A.D. 1994, THE SAME HAVING BEEN REPORTED TO THE GOVERNOR AS HAVING NEGLECTED OR REFUSED TO PAY THEIR ANNUAL TAXES.



  
Edward J. Freel, Secretary of State

2259520 8400

960375733

AUTHENTICATION: 8252330

DATE: 12-20-96

ATTACHMENT G

Copy of Exhibit 3 to Transferee's Portion of  
File No. BTCCT-911113KH  
(Application for Consent to the Transfer of Control  
of the License of Station WTVE(TV),  
Reading, Pennsylvania

APPLICATION FOR CONSENT  
TO TRANSFER OF CONTROL  
FCC FORM 315  
SECTION I, PART I  
ITEM 7

EXHIBIT 3

Micheal L. Parker, President and Director of Reading Broadcasting, Inc., is the 100% voting stockholder of Two If By The Sea Broadcasting Corporation. Two If By the Sea Broadcasting Corporation owns 51% of the stock of Massachusetts Channel 46 Corporation, licensee of WHRC(TV), Norwell, Massachusetts.

Mr. Parker has an application pending for a new low power television on Channel 68 at Los Angeles, California (FCC File No. BPTTL-891208ZI).

Mr. Parker held jointly with his wife, Judith Parker, a stock interest in Pacific Rim Broadcasting Co. ("Pacific Rim"), which filed an application to modify its construction permit for KPRR-TV, Channel 14, Honolulu, Hawaii, to operate on Channel 5 (FCC File No. BMPCT-830223KO, MM Docket No. 83-734). The application was dismissed by the Commission with prejudice pursuant to Pacific Rim's request. See Memorandum Opinion and Order, FCC 84M-1202, released March 12, 1984.

Mr. Parker's application for a new commercial television station on Channel 29 at Sacramento, California (FCC File No. BPCT-820824KJ, MM Docket No. 83-66) was dismissed with

prejudice pursuant to his request. See Memorandum Opinion and Order, FCC 83M-1594, released May 17, 1983.

Mr. Parker also was an officer, director and shareholder of Mt. Baker Broadcasting Co. Mt. Baker Broadcasting Co.'s application for extension of time of its construction permit for KORC(TV), Anacortes, Washington (FCC File No. BMPCT-860701KP) was denied. See Memorandum Opinion and Order, FCC 88-234, released August 5, 1988.

Although neither an applicant nor the holder of an interest in the applicant to the proceeding, Mr. Parker's role as a paid independent consultant to San Bernadino Broadcasting Limited Partnership ("SBB"), an applicant for authority to construct a new commercial television station on Channel 30 in San Bernadino, California (MM Docket No. 83-911), was such that the general partner in SBB was held not to be the real-party-in-interest to that applicant and that, for purposes of the comparative analysis of SBB's integration and diversification credit, Mr. Parker was deemed such. See Religious Broadcasting Network et. al., FCC 88R-38, released July 5, 1988. This proceeding was settled in 1990 and Mr. Parker did not receive an interest of any kind in the Sandino Telecasters, Inc., the applicant awarded the construction permit. See Religious Broadcasting Network et. al., FCC 90R-101, released October 31, 1990.

ATTACHMENT H

Copy of Exhibit 3 to Assignee's Portion of  
File No. BALIB-9208100M  
(Application for Consent to the Assignment of License  
of International Short-Wave Station KCBI, Dallas, Texas)

APPLICATION FOR CONSENT  
TO ASSIGNMENT  
FCC FORM 314  
SECTION II, ITEM 7

EXHIBIT 3

Micheal L. Parker is President and Director of Reading Broadcasting, Inc., WTVE, Channel 51 at Reading, Pennsylvania. Micheal L. Parker is President of Partel, Inc. which holds a 29.69 percent equity interest in Reading Broadcasting, Inc.

Micheal L. Parker is President of Two If By Sea Broadcasting Corporation which holds a fifty-one percent (51%) ownership interest in Massachusetts Channel 46 Corporation, WHRC TV, Norwell, Massachusetts. Transfer of Control granted September 11, 1991. FCC File No. BTCCT-910725KG. Until recently, Massachusetts Corporation was the Licensee of WHRC(TV), Norwell, Massachusetts. On March 23, 1992, the Commission granted the involuntary assignment of the station's license to George E. Clancy. Mr. Clancy was appointed receiver of the corporation by the Plymouth County Superior Court, Commonwealth of Massachusetts.

Micheal L. Parker has an application pending before the Federal Communications Commission for Transfer of Control of Channel 31, KVMD(TV), Twentynine Palms, California. Filed June 3, 1992.

Two If By Sea Broadcasting Corporation has an application pending before the Federal Communications, FCC Form 349, Application for Authority to Construct or Make Changes in an FM Transaltor or FM Booster Station; Channel 201, 88.1mhz, Upland, California. Filed July 7, 1992. FCC File No. 920707TB.

An application requesting Consent to Assignment of the license of KZIA(TV), Las Cruces, New Mexico, from Southwestern Broadcasting Co., Inc. to Two If By Sea Broadcasting Corporation pending at the Commission (FCC File No. BALCT-920406KJ) was dismissed without prejudice effective July 2, 1992 pursuant to a request by Southwestern Broadcasting Co., Inc.

Micheal L. Parker has an application pending before the Federal Communications Commission for a new low power television on Channel 68 at Los Angeles, California. Filed December 8, 1989. FCC File No. BPTTL-891208ZI.

Micheal L. Parker was an Executive Vice President and Director of West Coast United Broadcasting Co., Channel 38 at San Francisco, California which has an application pending before the Federal Communications Commission for a new low power television on Channel 66 at San Francisco, California. Filed December 8, 1989. FCC File No. BLCT-890926KE.

Micheal L. Parker held jointly with his wife, Judith Parker, a stock interest in Pacific Rim Broadcasting Co., which was an applicant for a construction permit to modify its construction permit for KPRR-TV, Channel 14, Honolulu, Hawaii, to operate on Channel 5, FCC File No. BMPCT-830223K0, MM Docket No. 83-734.

The application was dismissed by the Commission with prejudice effective March 12, 1984 pursuant to request by Pacific Rim Broadcasting Co. See Memorandum Opinion and Order, FCC 84M-1202, released March 12, 1984.

An application of Micheal Parker for a new commercial television station on Channel 29 at Sacramento, California, FCC File No. BPCT-820824KJ, MM Docket No. 83-66, was dismissed with prejudice effective May 17, 1983 pursuant to request by Mr. Parker. See Memorandum Opinion and Order, FCC 83M-1594, released May 17, 1983.

In addition, Micheal Parker was an officer, director and shareholder of Mt. Baker Broadcasting Co., which was denied an application for extension of time of its construction permit for KORC(TV), Anacortes, Washington, FCC File No. BMPCT-860701KP. See Memorandum Opinion and Order, FCC 88-234, released August 5, 1988.

Although neither an applicant nor the holder of an interest in the applicant to the proceeding, Micheal Parker's role as a paid independent consultant to San Bernardino Broadcasting Limited Partnership ("SBB"), an applicant in MM Docket No. 83-911 for authority to construct a new commercial television station on Channel 30 in San Bernardino was such that the general partner of SBB was held not to be the real party in interest to that applicant and that, instead, for the purposes of the comparative analysis of SBB's integration and diversification credit, Mr. Parker was deemed such. See e.g. Religious Broadcasting Network et. al., FCC 88R-38



released July 5, 1988. MM Docket No. 83-911 was settled in 1990 and Mr. Parker did not receive an interest of any kind in the applicant awarded the construction permit therein, Sandino Telecasters, Inc. See Religious Broadcasting Network et. al. FCC 90R-101 released October 31, 1990.

ATTACHMENT I

Copy of Exhibit 3 to Transferee's Portion of  
File No. BTCCT-920603KG  
(Application for Consent to the Transfer of Control  
of Station KVMD(TV), Twentynine Palms, California)


APPLICATION FOR CONSENT  
TO TRANSFER OF CONTROL  
FCC FORM 315  
SECTION I, PART I  
ITEM 7

EXHIBIT 4

Micheal L. Parker is President and a Director of Reading Broadcasting, Inc., licensee of WTVE(TV), Reading, Pennsylvania. Micheal L. Parker also is President and 100% stockholder of Partel, Inc., which holds a 29.69% equity interest in Reading Broadcasting, Inc.

Mr. Parker also is the 100% voting stockholder of Two If By The Sea Broadcasting Corporation. Two If By the Sea Broadcasting Corporation owns 51% of the stock of Massachusetts Channel 46 Corporation. Until recently, Massachusetts Channel 46 Corporation was the licensee of WHRC(TV), Norwell, Massachusetts. On March 23, 1992, the Commission granted the involuntary assignment of the station's license to George E. Clancy. Mr. Clancy was appointed receiver of the corporation by the Plymouth County Superior Court, Commonwealth of Massachusetts.

An application requesting consent to the assignment of the license of KZIA(TV), Las Cruces, New Mexico, from Southwestern Broadcasting Co., Inc. to Two If By the Sea Broadcasting Corporation is pending at the Commission (FCC File No. BALCT-920406KJ). Micheal Parker owns 100% of the assignee's stock.



Mr. Parker was an Executive Vice President and a Director of West Coast United Broadcasting Co., licensee of KCNS(TV), San Francisco, California. West Coast has pending an application for a new low power television station on Channel 66 at San Francisco, California (FCC File No. BLCT-890926KE).

Mr. Parker has an application pending for a new low power television on Channel 68 at Los Angeles, California (FCC File No. BPTTL-891208ZI).

Mr. Parker held jointly with his wife, Judith Parker, a stock interest in Pacific Rim Broadcasting Co. ("Pacific Rim"), which filed an application to modify its construction permit for KPRR-TV, Channel 14, Honolulu, Hawaii, to operate on Channel 5 (FCC File No. BMPCT-830223KO, MM Docket No. 83-734). The application was dismissed by the Commission with prejudice pursuant to Pacific Rim's request. See Memorandum Opinion and Order, FCC 84M-1202, released March 12, 1984.

Mr. Parker's application for a new commercial television station on Channel 29 at Sacramento, California (FCC File No. BPCT-820824KJ, MM Docket No. 83-66) was dismissed with prejudice pursuant to his request. See Memorandum Opinion and Order, FCC 83M-1594, released May 17, 1983.

Mr. Parker also was an officer, director and shareholder of Mt. Baker Broadcasting Co. Mt. Baker Broadcasting

Co.'s application for extension of time of its construction permit for KORC(TV), Anacortes, Washington (FCC File No. BMPCT-860701KP) was denied. See Memorandum Opinion and Order, FCC 88-234, released August 5, 1988.

Although neither an applicant nor the holder of an interest in the applicant to the proceeding, Mr. Parker's role as a paid independent consultant to San Bernadino Broadcasting Limited Partnership ("SBB"), an applicant for authority to construct a new commercial television station on Channel 30 in San Bernadino, California (MM Docket No. 83-911), was such that the general partner in SBB was held not to be the real-party-in-interest to that applicant and that, for purposes of the comparative analysis of SBB's integration and diversification credit, Mr. Parker was deemed such. See Religious Broadcasting Network et. al., FCC 88R-38, released July 5, 1988. This proceeding was settled in 1990 and Mr. Parker did not receive an interest of any kind in the Sandino Telecasters, Inc., the applicant awarded the construction permit. See Religious Broadcasting Network et. al., FCC 90R-101, released October 31, 1990.

ATTACHMENT J

Copy of Amendment (dated October 28, 1992)  
to Assignee's Portion of File No. BTCCT-920810OM  
(Application for Consent to the Assignment of License  
of International Short-Wave Station KCBI, Dallas, Texas)

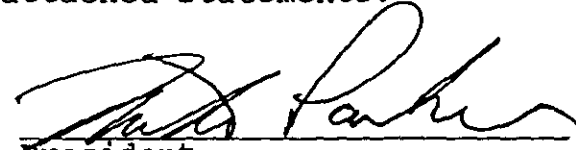
OCT 27 1992

OCT 30 10 47 AM '92 FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

RE: KCBI AUDIO SERVICES  
DIVISION

Please amend the application by Two If By Sea Broadcasting Corporation to acquire Station KCBI from Criswell Center for Biblical Studies by including the attached statements.

Date: 10/28/92


  
\_\_\_\_\_  
President  
Two If By Sea Broadcasting  
Corporation

Re: Two If By Sea Broadcasting Corporation

Two If By Sea Broadcasting Corporation ("Two If By Sea") has applied for authority to acquire Station KCBI from Criswell Center for Biblical Studies. As part of that application, Two If By Sea listed applications in which its officers, directors and principals had held interests and which were dismissed at the request of the applicant. This will confirm that no character issues had been added or requested against those applicants when those applications were dismissed.

Dated:

Oct. 27, 1992 By:

  
President  
Two if By Sea Broadcasting  
Corporation



CERTIFICATE OF SERVICE

I hereby certify that, on this 27th day of December, 1996, I caused copies of the foregoingy "Formal Opposition to, and Motion to Strike, Letter Request Seeking Emergency Relief" to be placed in the U.S. mail, first class postage prepaid, or hand delivered (as indicated below), addressed to the following:

Chairman Reed E. Hundt  
Federal Communications Commission  
1919 M Street, N.W. - Room 814  
Washington, D.C. 20554  
(BY HAND)

Commissioner James H. Quello  
Federal Communications Commission  
1919 M Street, N.W. - Room 802  
Washington, D.C. 20554  
(BY HAND)

Commissioner Rachelle B. Chong  
Federal Communications Commission  
1919 M Street, N.W. - Room 844  
Washington, D.C. 20554  
(BY HAND)

Commissioner Susan Ness  
Federal Communications Commission  
1919 M Street, N.W. - Room 832  
Washington, D.C. 20554  
(BY HAND)

William E. Kennard,  
General Counsel  
Federal Communications Commission  
1919 M Street, N.W. - Room 614  
Washington, D.C. 20554  
(BY HAND)

Roy J. Stewart, Chief  
Mass Media Bureau  
Federal Communications Commission  
1919 M Street, N.W. - Room 314  
Washington, D.C. 20554  
(BY HAND)

Barbara A. Kreisman, Chief  
Video Services Division  
Mass Media Bureau  
Federal Communications Commission  
1919 M Street, N.W. - Room 702  
Washington, D.C. 20554  
(BY HAND)

Clay Pendarvis, Chief  
Television Branch, Video Services  
Division  
Mass Media Bureau  
Federal Communications Commission  
1919 M Street, N.W. - Room 700  
Washington, D.C. 20554  
(BY HAND)

Martin Hoffman, Esquire  
50 Columbus Boulevard  
Hartford, Connecticut 06106  
Trustee-in-Bankruptcy for  
Astroline Communications Company  
Limited Partnership

Howard A. Topel, Esquire  
Mullin, Rhyne, Emmons & Topel  
1225 Connecticut Avenue, N.W.  
Suite 300  
Washington, D.C. 20036-2604  
Counsel for Two If By Sea  
Broadcasting Corporation

/s/  \_\_\_\_\_  
Harry F. Cole

F. Soll  
Lienze

BEGHTEL & COLE  
CHARTERED  
ATTORNEYS AT LAW  
SUITE 250  
1901 L STREET, N.W.  
WASHINGTON, D.C. 20036  
TELEPHONE (202) 833-4190

HARRY F. COLE

December 13, 1996

TELECOPIER  
(202) 833-3084  
INTERNET/E-MAIL  
COLESLAW@EROLS.COM

HAND DELIVERED

Clay Pendarvis, Chief  
Television Branch, Video Services Division  
Mass Media Bureau  
Federal Communications Commission  
1919 M Street, N.W. - Room 702  
Washington, D.C. 20554

Dear Mr. Pendarvis:

I am writing in response to your telephone query yesterday concerning whether my client, Shurberg Broadcasting Company of Hartford ("SBH"), intends to file any response to the letter request, dated December 12, 1996, filed on behalf of Two If By Sea Broadcasting Corporation ("TIBS") relative to Station WHCT(TV), Channel 18, Hartford.

I did not receive my service copy of the letter request until this morning. I have forwarded a copy to my client, with whom I have conferred briefly (although before I had a chance to send him a copy). It is SBH's intention to submit an opposition to the letter request.

At present, I am scheduled to be involved in a civil trial on Monday of next week, for which I will be preparing this weekend. During a telephone conference this afternoon related to that trial, I have been advised by the presiding judge that the trial may not be concluded until some time on Wednesday. My attendance at the entire trial is required. As a result, the earliest I will likely be able to begin to prepare a response will be next Thursday. In view of the issues presented in the letter request, I believe that a minimum of a week will be necessary to prepare an appropriate response. Since I plan to take Christmas Day off, that would mean that SBH's response would be filed on Friday, December 27. This timeframe appears to be consistent with the specifications set forth in Section 1.45 of the Commission's Rules.

Please call me if you have any questions about this matter.

Sincerely,

  
Harry F. Cole

Counsel for Shurberg Broadcasting  
of Hartford

cc: Howard A. Topel, Esquire  
Martin W. Hoffman, Esquire

## EXHIBIT E

RECEIVED

DEC 2 - 1997

FLEISCHMAN AND WALSH, L. L. P.

ATTORNEYS AT LAW  
A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION  
1400 SIXTEENTH STREET, N. W.  
WASHINGTON, D. C. 20036  
TEL (202) 939-7900 FAX (202) 745-0916  
INTERNET fw@fw-law.com

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

AARON I. FLEISCHMAN

FLEISCHMAN AND WALSH, P. C.  
CHARLES S. WALSH  
ARTHUR H. HARDING  
STUART F. FELDSTEIN  
RICHARD RUBIN  
JEFFREY L. HARDIN  
STEPHEN A. BOUCHARD  
R. BRUCE BECKNER  
HOWARD S. SHAPIRO  
CHRISTOPHER G. WOOD  
SETH A. DAVIDSON  
MITCHELL F. BRECHER  
JAMES F. MORIARTY  
MATTHEW D. EMMER  
HOWARD A. TOPEL

JILL KLEPPE McCLELLAND  
REGINA FAMIGLIETTI PACE  
RHETT D. WORKMAN  
CRAIG A. GILLEY  
MARK F. VILARDO  
PETER J. BARRETT  
KIMBERLY A. KELLY  
ROBERT E. STUP, JR.\*  
SCOTT H. KESSLER\*\*  
ANDREW M. FRIEDMAN  
DEBRA A. McGUIRE  
JOSHUA W. RESNIK\*\*\*  
STEPHEN E. HOLSTEN  
CAROLYN K. KALBFUS\*\*\*

December 1, 1997

\* PA BAR ONLY  
\*\* NY AND NJ BARS ONLY  
\*\*\* MD BAR ONLY

Ms. Magalie Roman Salas, Secretary  
Federal Communications Commission  
1919 M Street, N.W.--Room 222  
Washington, D.C. 20554

Re: KAIJ, Dallas, Texas  
Application for Assignment of License  
File No. BALIB-970912VT

Dear Ms. Salas:

On behalf of Two If By Sea Broadcasting Corp. ("TIBS"), assignor in the above-numbered application, the purposes of this letter are: (1) to submit in triplicate the amendment that is attached hereto in Exhibit 1, which, as shown below, was prepared prior to TIBS's receipt of the petitions to deny or dismiss that have been filed; (2) to request an extension of time to respond to those petitions; and (3) to submit preliminary comments concerning those petitions in light of the circumstances described below.

On November 17, 1997, Alan Shurberg d/b/a Shurberg Broadcasting of Hartford ("Shurberg") and Adams Communications Corporation ("Adams") filed petitions to deny or dismiss the instant application. In addition to renewing Shurberg's previous allegations concerning TIBS principal Micheal Parker, the petitions allege that TIBS intentionally did not disclose the Commission's letter dated January 30, 1997, issued in the proceeding involving WHCT-TV, Hartford, Connecticut (the "FCC Letter"). That is demonstrably untrue. First, the FCC Letter specifically *was disclosed* in connection with two other applications in which Mr. Parker was a principal, which is inconsistent *per se* with an intent to conceal. See Exhibits 2 and 3 attached. Second, the WHCT-TV proceeding is among the highest profile cases before the Commission, and it is ludicrous to think, as

Ms. Magalie Roman Salas, Secretary  
December 1, 1997  
Page 2

Shurberg/Adams purportedly do, that anyone would believe the FCC Letter could be concealed from the very Commission and staff which wrote it. And, third, TIBS had caught the oversight in not mentioning the FCC Letter in the application and steps to cure that omission were underway before Shurberg/Adams ever surfaced.

Specifically, as reflected in the excerpts from this firm's time records attached hereto in Exhibit 4, one of the firm's attorneys, Joshua W. Resnik, was actively preparing the attached amendment regarding the FCC Letter well before Shurberg/Adams filed their petitions. Although review by the undersigned senior attorney for TIBS of the amendment, revisions thereto, and the transmittal letter to TIBS was delayed due to an emergency that consumed the undersigned's availability for much of this time period, the process was completed on the evening of November 17 and the amendment was prepared for overnight delivery to Mr. Parker's office on November 18, irrespective of the Shurberg/Adams petitions. The fact that those petitions were also received by counsel on November 18 was pure coincidence. The amendment was going to be filed even if Shurberg/Adams were never heard from, and absolutely no intention to deceive the Commission ever existed.

The same cannot be said for Shurberg/Adams, who, not coincidentally, share a common legal representative. See Shurberg Petition at 4 and Adams Petition at 10. Long before his petition against TIBS, Shurberg had perfected the unsavory practice of omitting highly relevant information from his own Commission and judicial filings when that information was adverse to his position. Among other things, Shurberg supported his position before the Commission and the courts by citing an advocate's brief in a related proceeding *without ever telling the Commission that a decision had been entered in that proceeding which rejected the brief on which he relied and materially refuted his position*. See Petition To Dismiss Application Of Shurberg Broadcasting Of Hartford, filed with respect to File No. BPCT-831202KF on August 14, 1997, and Reply To Opposition To Petition To Dismiss Application of Shurberg Broadcasting of Hartford, filed therein on October 1, 1997. Shurberg similarly accused the Mass Media Bureau and the Chief of the Television Branch of violating the *ex parte* rules *without disclosing the content of a tape recording in his possession which showed that nothing remotely resembling an ex parte communication occurred*. *Id.* Shurberg also swore to the Commission that he had spoken to a representative of Motorola who questioned whether he had reasonable assurance that the site he was proposing was available (he did not), *when Shurberg in fact had never spoken to that person*. *Id.*

The current Shurberg/Adams petitions shamelessly continue the same misleading tactic. As shown in Exhibit 2 hereto, one of the applications in which the FCC Letter was specifically reported involved Mr. Parker's Reading, Pennsylvania, licensee against which Adams has filed a competing application, and a copy of the report was served on Shurberg's/Adams' common representative. Exhibit 2, p. 1. Despite knowledge of that voluntary disclosure, which negates any reasonable notion of intent to deceive, Shurberg/Adams conveniently disregard that compelling disclosure because to do otherwise would undermine their plainly bogus contention. Certainly, when it comes to a "non-

Ms. Magalie Roman Salas, Secretary  
December 1, 1997  
Page 3

forthcoming, non-candid, downright misleading *modus operandi*" (Adams Petition at 8), Shurberg/Adams hold the patent.

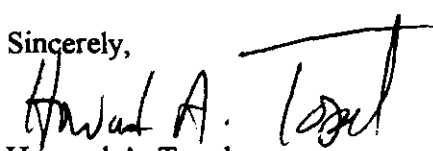
Although Shurberg/Adams argue that "it is appropriate to assume that *none* of Mr. Parker's interests are transferable (Adams Petition at 6), it also is highly relevant that the Commission staff has already ruled to the contrary. In the letter dated May 22, 1997, that is included in the amendment attached hereto in Exhibit 1, the Chief of the Video Services Division specifically addressed the FCC Letter and held that it does *not* preclude Mr. Parker from selling stations, which is what the instant application proposes. Equally absurd is Shurberg/Adams' contention that Mr. Parker intentionally sought to mislead the Commission by reporting in numerous applications the official FCC document numbers and dates of the Commission actions on which they rely, instead of citations to specific reporting services. Indeed, if it were not so mean-spirited, the charge would be comical. Needless to say, there are abundant authorities which recognize that an agency is deemed to have knowledge of its own actions. Shurberg/Adams are simply projecting their own mind set regarding candor with the Commission onto others.

Since the allegations that Shurberg/Adams make are based on Commission proceedings that go back as far as 14 years, to prepare a thorough reply TIBS must review the Commission records from that time. However, although TIBS's counsel has ordered those records from the Commission's archives, they have not yet been delivered. Accordingly, a three-week extension is requested to receive those records and prepare TIBS's complete reply.

TIBS also understands, however, that the assignee in the instant application may withdraw the application. In that event, a complete reply would become moot. Accordingly, TIBS is submitting the preliminary responsive comments contained herein, since this may be its only opportunity to address the allegations of the Shurberg/Adams petitions.

Since this letter serves several purposes, including the filing of an amendment, in the interest of reduced Commission paperwork, we respectfully request that the formal pleading requirements of the rules be waived with respect to the request for extension of time contained herein.

Sincerely,

  
Howard A. Topel

HAT/jt  
Enclosures

cc: Tom Boasberg, Esq.  
Harry F. Cole, Esq.

## **EXHIBIT 1**

### **AMENDMENT**

The application for assignment of International Broadcast Station KAIJ, Dallas, Texas (File No. BALIB-970912VT), from Two If By Sea Broadcasting Corporation ("TIBS") to Peoria Broadcasting Services, Inc., is hereby amended to include the following documents (attached hereto):

1. A copy of a letter from the FCC dated January 30, 1997, relating to TIBS' undersigned principal Micheal Parker; and
2. A copy of the Mass Media Bureau's grant dated May 22, 1997, of an application to which the undersigned Mr. Parker was a party. The May 22 grant indicates that Mr. Parker's right to transfer other stations held by him is not limited by the January 30 letter or a later Hearing Designation Order issued in relation to the January 30 letter (*Memorandum Opinion and Order and Hearing Designation Order*, MM Docket No. 97-128, FCC 97-146, released April 28, 1997). Accordingly, the attached documents do not preclude grant of this application but are submitted in the interest of full disclosure.

Respectfully submitted,

**TWO IF BY SEA BROADCASTING CORPORATION**

By: 

Micheal L. Parker  
President

Nov 20, 1997  
DATE



Before the  
Federal Communications Commission  
Washington, D.C. 20554

**LETTER**

Released: January 30, 1997

Two If By Sea Broadcasting Corporation  
c/o Howard A. Topel  
Mullin, Rhyne and Topel  
1225 Connecticut Avenue, NW Suite 300  
Washington, DC 20036-2604

Shurberg Broadcasting of Hartford  
c/o Harry F. Cole  
Bechtel & Cole  
1901 L Street, NW Suite 250  
Washington, DC 20036

Gentlemen:

This refers to the December 12, 1996 letter filed by Two If By Sea Broadcasting Corporation (TIBS) requesting emergency relief. Specifically, TIBS requests that the Commission immediately grant its application for consent to the assignment of license of WHCT-TV, Channel 18, Hartford, Connecticut from Martin W. Hoffman, Trustee-in-Bankruptcy (Trustee) to TIBS. File No. BALCT-930922KE.

By way of background, in 1980 the Commission designated for hearing the application of Faith Center, Inc., (FCI) for renewal of the license of WHCT-TV. *See Faith Center, Inc.*, 83 FCC 2d 401 (1980). FCI responded by filing a petition for special relief seeking permission to transfer its license pursuant to the Commission's minority distress sale policy,<sup>1</sup> which the Commission granted. *See Faith Center, Inc.*, 88 FCC 2d 788 (1981). In December, 1983, while FCI attempted to effectuate a transfer of WHCT-TV, Shurberg Broadcasting of Hartford, Inc., (SBH) filed a competing application against the station's still pending renewal. File No. BPCT-831202KF. Nevertheless, in December, 1984, the Commission granted the assignment of WHCT-TV to Astroline Communications Company Limited Partnership (Astroline). *See Faith Center, Inc.*, 99

---

<sup>1</sup> Under this policy, a broadcast licensee whose license had been designated for a hearing could sell its station, after designation for hearing but prior to commencement of the hearing, to a minority-controlled entity at 75% or less of the station's fair market value. *Statement of Policy on Minority Ownership of Broadcasting Facilities*, 68 FCC 2d 979 (1978).